

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

JOHN DOE,

Plaintiff,

v.

No. 22-CV-00096-CR

LLOYD AUSTIN, in his official capacity
as Secretary of Defense, *et al.*,

Defendants.

JOINT MOTION TO EXTEND TEMPORARY STAY OF PROCEEDINGS

On July 1, 2022, Plaintiff John Doe and Defendants Lloyd Austin, Christine Wormuth, Daniel R. Hokanson, Jon A. Jensen, Gary M. Brito, the United States National Guard Bureau, the United States Army National Guard, and the United States Department of Defense (the Federal Defendants), requested that the Court enter a stipulated briefing schedule for the Federal Defendants' response to Plaintiff's motion for preliminary injunction and the Federal Defendants' dispositive motion, in whole or in part. (ECF No. 18.) On July 20, 2022, the Plaintiff and Federal Defendants jointly moved the Court to stay proceedings for a period of 21 days, so that the parties could engage in settlement discussions.¹ (ECF No. 20.) The Court granted the joint motion on July 29, 2022. On August 10, 2022, the parties jointly moved to extend the stay for an additional 14 days to permit settlement negotiations to continue. (ECF No. 22.) The Court granted the motion on August 11, 2022. (ECF No. 23.) On August 23, 2022, the

¹ Although the Vermont Attorney General has not yet appeared on behalf of the Vermont Defendants, the Parties have conferred with a representative from the Vermont Attorney General's Office who agrees to the relief requested.

parties jointly moved to extend the stay for an additional 14 days to allow the parties to finalize and formally enter into the agreement reached in principle through the negotiations to that date. (ECF No. 24.) The Court granted the motion on August 25, 2022. (ECF No. 25.)

The Plaintiff and Federal Defendants now jointly move the Court to extend the stay of proceedings through December 15, 2022.

Good cause exists to support this motion. The parties have executed a settlement agreement which resolves the issues in this case. The requirements of the settlement agreement will be effectuated over a brief period of time and cannot be completed immediately upon execution of the agreement. As a condition of the settlement, the parties agreed not to formally dismiss this matter until all settlement requirements are completed or until December 15, 2022. Pursuant to the settlement agreement signed by the parties, the parties will jointly stipulate to dismissal of the case on or before December 15, 2022.

For the foregoing reasons, the parties respectfully request that the Court stay all proceedings through December 15, 2022, for the parties to effectuate their settlement and stipulate to dismissal of the case.

Dated: September 6, 2022

PLAINTIFF,

By his attorneys,

Respectfully submitted,

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/s/ Kierstan E. Schultz

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document, which has been filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and all counsel who have represented that they are representing a party to this action.

/s/ Kierstan E. Schultz

Kierstan E. Schultz